

Proposal	Comment	Barnet Council response
Applicants will normally have to live in the borough for five years to qualify for assistance.	Increasing the residential qualification period to 5 years may inhibit mobility across social landlords, e.g.: downsizers with or without bedroom tax deductions.	Moves should still be able to happen within existing reciprocal arrangements as they are outside the Allocation Scheme. The council has amended the residential connection criteria to ensure that there is some flexibility in the residential connection rules for exceptional cases with less than 5 years that need a management transfers or trade down.
	This proposal is likely to disproportionately affect single mothers with young children and so potentially breach the duties the council owes such a group under the Equality Act 2010 by at least indirectly discriminating against them. The same is likely to be true for the disabled, recently ill and foreign workers.	The equalities impact assessment has not found this to be the case but the changes will be monitored.
	Long-term non-secure tenants should be re-housed locally if they want to be under the current local connection rules. Lack of affordable housing supply needs to be addressed by building more affordable homes.	The change will ensure that long-standing residents can qualify for housing in the borough, including non-secure tenants on the regeneration estates when they need to move. The council is increasing housing supply by building new homes.
	This clause could cause a problem for those people with Learning disabilities who have support needs and been funded and placed out of borough for a number of years, either in residential care or college. Is there going to be an exception made for those individuals wanting to return to the Borough, where previously local provision was not available?	As per section 3.5 Care leavers who were placed by the council in residential care outside of the borough will qualify for a residential connection. The council will look to include placements by Adult Social Care that are also out of borough.
Applicants who need to move because there is a risk of violence or threat to life will have to apply as homeless and be placed away from the risk in temporary accommodation	These proposals unfairly penalise women fleeing domestic violence by removing their priority status and reduce the likelihood of them being placed back in council accommodation. It reduces their housing options by forcing them into emergency or temporary accommodation at a time when they need stable and secure housing.	Existing social tenants have the option of going into temporary accommodation and claiming housing benefit on two homes for 52 weeks. This gives them time to pursue other options e.g.: management transfer, mutual exchange or a reciprocal agreement under the North London Housing Partnership Domestic Violence reciprocal protocol. They will obtain a new tenancy on the

Proposal	Comment	Barnet Council response
Applicants who need to move because there is a risk of violence or threat to life will have to apply as homeless and be placed away from the risk in temporary accommodation		same terms as they had before.
	Women and children made homeless through domestic violence should be recognised as a unique group fleeing crimes that take place in the home. This needs to be recognised through special measures including the offer of a social housing tenancy.	The purpose of the proposal is to safeguard the women and children by placing them away from danger in alternative temporary accommodation. Depending on their banding, these households will be offered council, housing association or private rented sector accommodation depending on their assessed housing need and the available supply.
	All women in social housing in Greater London who flee domestic violence should be guaranteed a move to equivalent social housing within Greater London, unless they want to move out of the city.	For those who are secure tenants from other local authorities, Barnet Homes can discuss reciprocal agreements with other authorities so as to allow the applicant to retain their secure tenant status. The North London Housing Partnership which includes Barnet, Camden, Islington, Westminster, Enfield and Haringey has developed a DV reciprocal agreement that commenced in October 2013 which allows secure tenants to move across these boroughs.
	Housing is not only a practical need for women and children who have to flee domestic violence but is integral to beginning to feel safe and being able to move forward with their lives. Access to safe, secure and stable accommodation is vital for all those forced to flee violence.	By staying in their current home on the basis that they may access social housing quickly by being placed in band 1 puts women and children at greater risk. It is better to be placed away from the danger in temporary accommodation while a permanent safe housing solution can be found.
	The majority of women forced to flee their homes in London are unable to stay in their boroughs of origin. For most victims, staying local increases the risk of more severe violence or even death.	Barnet recognises that it may be safer to move to an alternative borough and is part of the North London Housing Partnership which includes Barnet, Camden, Islington, Westminster, Enfield and Haringey.
	Forcing women who have fled domestic violence to work, volunteer or be in training before they will be given additional priority for housing is a totally unreasonable expectation. Would it not be more sensible to make an exception for these women similar to the one being proposed for young people leaving care?	The proposals do not force anybody to make a community contribution but they recognise that social housing is a very limited resource and that it is reasonable to offer additional priority to households who make a contribution. There will be discretion within the scheme for victims of domestic violence with exceptional needs to be placed in band 1 where community contribution

Proposal	Comment	Barnet Council response
		does not apply.
	This proposal would appear to be unfair on the basis that whilst someone in fear of physical violence is likely to want to be removed from the risk quickly, a person in fear of emotional or psychological violence might not. This proposal would therefore unfairly restrict a person experiencing emotional abuse. Further a person may be in fear of both physical and emotional violence to varying degrees this making it difficult to distinguish.	It is because of the need to remove the person from the risk quickly that the proposal has been made. Given the lack of supply placing somebody in band 1 does not necessarily mean that they will be rehoused immediately which is what needs to happen to remove them from the risk to their life.
Applicants who need to move because there is a risk of violence or threat to life will have to apply as homeless and be placed away from the risk in temporary accommodation	More generally an applicant may have many reasons for wanting to move, they may have been waiting for council accommodation many years. For example a disabled applicant who wants to move near family. This proposal seems to suggest that if and when they suffer some additional harm they are then disadvantaged.	The whole range of an applicant's housing needs will be taken into account when being banded but through this proposal the applicant will be placed into accommodation away from the risk of harm. Housing officers will then assist them in finding more permanent housing.
	Being required to self-declare as homeless could prevent victims of domestic violence from reporting their abuse, and lead to violence in the home continuing unchecked.	This is not the intention of the proposal. It is because of the need to safeguard victims of domestic violence that is proposed that they apply as homeless so they can be placed into emergency accommodation where they are safe. Their housing officer will assess their housing needs and offer them a property which may be private rented or social rented.
	Requiring victims of domestic violence to declare themselves homeless and leave their home risks the perception that the system rewards the abuser.	The process of evicting perpetrators for ASB is not straight forward and will depend on their legal status in the property which includes tenancy and matrimonial rights of occupation. Courts are unlikely to end someone's rights of occupation unless there is strong evidence of the ASB which can be difficult to prove. It is better to move the victim to safety.

Proposal	Comment	Barnet Council response
	The proposals reduce the chance that women, men and children who are leaving a violent home will be placed into permanent, safe and secure council accommodation.	The form of accommodation offered will depend on available supply of accommodation as well as the outcome of a detailed homelessness, suitability and affordability assessment. It could therefore be either a private sector or social housing offer. Where the applicant is an existing secure tenant, they would not necessarily have to apply for rehousing through the Allocation Scheme's banding system. Rather their Housing Officer can highlight the case as having an exceptional need to move and apply to have the tenant moved as a management transfer. Once moved, the tenant will sign a secure tenancy on the same conditions as the previous tenancy that they held.
Applicants who need to move because there is a risk of violence or threat to life will have to apply as homeless and be placed away from the risk in temporary accommodation	The proposals could prevent victims of domestic violence from being re-housed in another London borough under the North London agreement and local authorities outside London.	The North London reciprocal arrangements are not affected by this proposal. Secure tenants would generally not surrender their tenancy until a long term solution is reached. If placed into temporary accommodation they can claim housing benefit on two homes whilst a reciprocal is explored.
	The allocations scheme needs to make clear that residents housed outside the borough because of domestic violence (in refuges, temporary accommodation or by another borough under a reciprocal scheme) will maintain their local connection once they return and not be penalised because they have had to leave the borough through no fault of their own.	The allocations scheme states that where the council places an applicant in another borough they will retain their residential connection to Barnet
	There has been no clear justification for this proposal and the council has not produced evidence that it will improve the lives of victims of domestic violence.	The proposal supports the vision set out in the Barnet Domestic Violence and Violence against Women and Girls (DV and VAWG) Strategy 2013-16. The strategy aims to ensure that people who suffer from domestic violence get the support they need through partnership, prevention, provision and protection. In particular, the housing allocations scheme will ensure that there is provision of alternative and safe accommodation

Proposal	Comment	Barnet Council response
		for the victim and their children away from the danger. In addition, Barnet Homes will continue to work in partnership with other agencies, including the Multi-Agency Risk Assessment Conference to ensure that high risk of harm cases are supported into safe accommodation.
	The council already has a legal duty to urgently re-house any resident that is homeless because of domestic violence - normally in emergency or temporary accommodation. Housing allocations policy should not be changed to force them into homelessness and strip them of their priority on the housing waiting list.	The council will continue to meet its statutory duty to homeless households. The proposal does not change this.
Applicants who need to move because there is a risk of violence or threat to life will have to apply as homeless and be placed away from the risk in temporary accommodation	These proposals look like an attempt to reduce the numbers of those eligible for social housing. All of the other major changes that are proposed in this consultation are designed to do just that. If the administration really felt they were making this change to help protect victims of domestic violence why has it taken them until now to propose it? In addition, it is being proposed without any evidence to back up the claim that it is to protect people. The council has not specifically highlighted the proposed change and sought the views of organisations that campaign around domestic violence prior to publishing the proposals – if they wanted support for this change they should have sought these organisations' views first.	There is high demand for housing in Barnet and limited supply and the council has to manage this demand through its allocations scheme.  The proposed change for domestic violence victims is highlighted as one of the changes in the committee reports and the consultation documentation and the council has invited comments on this and the other changes.
	People fleeing or living with domestic violence need options and advice – these proposals gives them only one option – to make themselves homeless	They will continue to get options and advice in order to find a home when they have been removed from the danger by being placed in temporary accommodation. In addition the Barnet Homes Sanctuary Scheme helps victims remain in their own home, if it is safe to do so, by increasing the security at their home so helping in the

Proposal	Comment	Barnet Council response
		prevention of domestic violence.
Applicants who refuse a reasonable offer of accommodation that meets their needs will be excluded from the housing allocations scheme for two years.	This proposal would seem to be in line with the Localism Act 2012 but I would suggest that if/when a notification as to suitability is sent by the council then it should confirm that the applicant can either a) accept the offer, b) reject the offer and request a review or c) accept the offer but request a review.	Applicants are informed of their right to a review if they think that the offer of a property is unreasonable.
	This change is overly punitive.	It needs to be made clear to applicants that there is a consequence of not accepting a reasonable offer of a property. Applicants have a right to a review.
Changes to the community contribution criteria, including increasing the number of hours that an applicant has to work, volunteer or attend training to 16 hours per week.	The proposals reward those making a community contribution i.e. those that have a 'positive residence history' <i>to the detriment</i> of those who fall into one of the disqualified categories i.e. someone who might be labelled as having a 'negative residence history'.	The council wants to encourage residents to have a positive residence history, for example by working, training or volunteering and this proposal supports this. The disqualification categories have not been changed by this proposal but for example it is reasonable to exclude somebody with a history of non-welfare reform related rent arrears or ASB.
	This proposal rewards those making a 16 hours or more community contribution by taking away from those making a lesser community contribution. It does not take into account for example a young parent who may only be able to make a small community contribution due to child care commitments now, but intends to increase their contribution as the child grows older. Equally the disabled, recently sick or foreign worker applicant who is only able to make a small contribution for the time being but intends to make a greater contribution in due course.	The 16 hours makes sense because this is the number of weeks a single person or single parent has to work to be able to obtain Working Tax Credit and be exempted from the benefits cap. Applicants on maternity and paternity leave who intend to go back to work will be given a community contribution. There is discretion for disabled and elderly people to not have to a community contribution by having the requirements reduced or removed. Foreign workers are unlikely to meet the residential connection requirements so there is no need for

Proposal	Comment	Barnet Council response
	<p>It maybe that to make the scheme at least less unfair Band 2 could be split into a higher Band 2 (i) and lower Band 2(ii); the young working parent or recently ill applicant mentioned above would go into the lower Band 2 (ii). However, even that would still fail to take properly into account the intention of the young parent or disabled person who is otherwise making the best community contribution they can for the time being.</p>	<p>discretion here.</p> <p>There is discretion in the scheme as described above. Individual circumstances will be taken into consideration on a case by case basis as part of the housing needs and affordability assessment.</p>
	<p>Further what happens if an applicant had a job and lost it and then got another, what sort of period of interruption of employment means you lose the community contribution? What about someone injured at work and who can never work again and needs to move house, how current does the community contribution have to be and over what period of time?</p>	<p>There is discretion in the scheme as described above.</p>
	<p>A full equality impact assessment has not yet been done. This should have been done first before consulting on proposals, so that people responding to the consultation could be aware of the impact on particular protected groups before responding. The initial workshop assessment of the equalities risks does not even mention domestic violence or the impact of the proposed changes on protected groups like women for example.</p>	<p>A full equalities assessment, including the proposal on domestic violence has been completed and is appended to the final committee report. The outcomes of the changes will be monitored closely. Any untoward trends will be followed up as the Council keeps the allocations scheme under regular review.</p>
	<p>The policy on working, volunteering and training needs to be flexible to accommodate people's different working, volunteering and training patterns – seasonal or sessional workers like school dinner ladies for example who do not work during school holidays and therefore may be placed in Band 2 if they apply in June but not if they apply in August. People on other working</p>	<p>The policy will be flexible in the way described. Each case will be considered on its merits, for example if an applicant only worked 16 hours during term time then this would qualify as a community contribution.</p>

Proposal	Comment	Barnet Council response
	arrangements like zero hours contracts also need to be accommodated by the scheme if their working average over time meets the policy – but the policy needs to say that it will accommodate them.	
	In addition, caring for your own children if they are under 3 should count as a community contribution, and if they are disabled and under 5 and there is an on-going care need. Free child care is not available for children under 2.5 years, and this may make it difficult for parents to take on more work / training or volunteering.	There is discretion in the scheme for disabled people and carers.
	Will this apply to adults with learning disabilities needing to be housed in the same way as general needs population? Although many of the people we support would welcome the opportunity to volunteer or work, the reality of finding anything is a real challenge.	There is discretion in the scheme for disabled people and this would include adults with learning difficulties.